

Department of Safety

The Tennessee Department of Safety (TDOS) was established in 1939 by the General Assembly to exercise the authority of the Tennessee Highway Patrol (THP). During its 67 years of sustained progress and service, the department has evolved into a multi-faceted agency that now provides four main areas of service: law enforcement services, motorist and vehicle services, education and training services, and administrative support services. While each area performs distinctly different functions, they all work together toward the common goal of ensuring public safety.

Though the primary focus is on highway safety, the department's services extend to virtually everyone within the state's borders, including motorists and passengers, commercial motor vehicle firms and operators, other state and local law enforcement agencies, students and teachers, attorneys and courts, financial institutions, insurance companies, automobile dealers, employers, and the news media.

Approximately half of the employees are commissioned law enforcement officers. The department has a strong local presence throughout the state, with its patrol areas and driver license stations, and with the county clerks who serve as the department's agents for titling and registration and who may also offer driver licensing services.

Accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) since 1999, the department is recognized as an outstanding law enforcement agency demonstrating excellence in management service by meeting an established set of professionally developed criteria. The vital nature of the department's legislative mandates makes it especially important for TDOS to be at the forefront of responsive, effective public service.

The department has the following programs:

1. Administration
2. Motor Vehicle Operations
3. Major Maintenance
4. Driver License Issuance
5. Highway Patrol
6. Auto Theft Investigations
7. Motorcycle Rider Education
8. Driver Education
9. Technical Services.

Administrative and Support Services

349.01 Administration

The administrative and support services area is responsible for the overall administration of the department, including establishing rules, regulations and policies, and providing basic support services for departmental operations. Within this program are the commissioner and his immediate staff, fiscal services, internal audit, human resources, supply, internal affairs, staff inspection and accreditation, and the legal division.

Mandated and Optional Services and Best Means of Providing Them

The primary services of administration involve the executive oversight of the entire department, which is carried out by the commissioner's office (TCA 4-3-2002). In addition to overseeing the programs within the department, this office initiates department-wide strategies and goals, and sets priorities for their funding and execution.

As an example, a current department-wide goal initiated by the commissioner's office is a focus on making services more accessible to citizens and businesses so that customers can gain access to services without having to visit an office. Currently, customers can use www.tennessee.gov for various driver license transactions including renewals, duplicates, reinstatements, changes of address, and to make appointments for driver license services. In addition, businesses can now subscribe to services that will provide them with information from driver and vehicle records. The department also provides an automated phone-fax option for retrieval of driver records information. As a third example, citizens can have their driver license address changed without visiting an office, either through an automatic link the department has set up with the U.S. Postal Services, or by phone, mail, or Internet. The public information officer coordinates the promotion of these efforts as part of an overall communications strategy for the department.

Other services include human resources, who ensure departmental compliance with various federal and state laws regarding employment; fiscal services, mandated to account for all revenues and expenditures; internal audit, required to comply with the comptroller's standards for internal audits; Tennessee Occupational Safety and Health Act (TOSHA), which is required to establish a safe and healthy working environment for employees of the department; and internal affairs, which investigates all complaints concerning the department's employees.

The Accreditation and Staff Inspection unit is responsible for organizing the agency's efforts to maintain accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). TDOS is one of only 17 highway patrols or state police agencies in the nation accredited by CALEA. The Tennessee Department of Safety has been accredited by CALEA since 1999. CALEA accreditation bestows recognition on outstanding law enforcement agencies that demonstrate excellence in management and service by meeting an established set of professionally developed criteria. Accreditation requires agencies to meet or exceed 446 applicable standards, which address all areas of administration, operation and technical support activities.

In addition to these broad legislative mandates, the legal division administers asset forfeiture cases that arise out of the seizure of property pursuant to the Drug Control Act (TCA 39-17, Part

4 and TCA 53-11-201 *et seq.*, and 44-33-201 *et seq.*) and anti-theft provisions (TCA 55-5-108 *et seq.*). With offices in Knoxville, Memphis, and Nashville, the legal division manages all aspects of these forfeiture cases, and represents the law enforcement agencies that seize the property. The Legal division also provides training to law enforcement officers in this area of the law. Though not mandated, the training enables officers to prepare better cases, which in turn strengthens the division's representation of them.

The current methods for delivering the administration services represent the best and most cost effective means. It is essential to have core administrative functions delivered by the department itself. The department does outsource certain employee selection functions that are either outside its expertise (such as contracting with experts to evaluate a candidate's physical capacities) or that are not ongoing (such as contracts to develop or refine promotional exams).

The legal division's representation of state and local law enforcement agencies that seize properties is not a common approach to this service. Most states have this function located within the state's Attorney General's office or distributed among the separate agencies. Tennessee's approach provides a core group of legal expertise that can not only represent the various agencies, but can also administer the entire process and offer training to keep the various enforcement agencies abreast of the most current laws.

Performance Standards

1. Add further avenues for citizens to access the department's services without having to visit an office.

Performance Measures

1. a. Number of services available by Internet.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
11	12	13

- b. Yearly volume of Internet service transactions.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
2,628,356	2,400,000	2,600,000

- c. Percent of phone calls into the financial responsibility call center handled by the automated phone system.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
49%	46%	49%

Means of Addressing Any Change in Services Since Previous Plan

In December 2005, the consulting firm of Kroll Government Services reviewed the operational and management structure of the Department of Safety. Over a three month period, the Kroll

staff reviewed operating procedures of the department, conducted interviews with staff and management within the agency, and interviewed other law enforcement personnel such as Tennessee Bureau of Investigation (TBI) and local law enforcement agencies.

Their findings revealed the internal affairs division was understaffed and could not adequately perform the mandated duties of the office. In addition, the study indicated the current management structure within the THP was not operating effectively as a result of span of control issues and a lack of certain supervisory positions. Kroll also found that the promotional processes of the THP had external influences that were tainting the fairness of staff appointments.

As a result of the findings, Kroll made several recommendations that will be implemented by the department. The internal affairs division will receive additional training and investigator positions, in the form of troopers, so that all complaints against the department's employees can be thoroughly reviewed and investigated by internal affairs staff. A new division, called the Bureau of Professional Standards, will be created that will report directly to the commissioner's office. It will consist of the following units: internal affairs, internal audit, staff inspection and Accreditation. In addition, an early warning system, a centralized complaint system, and a matrix of disciplinary guidelines will be established as part of the overhaul of the internal affairs division. Policies regarding promotions will be changed so that external influence will be removed from the process and all promotions will be based on merit. These changes are expected to take place beginning July 1, 2006.

349.07 Motor Vehicle Operations

Motor Vehicle Operations provides all commissioned officers with a vehicle to be used to enforce traffic laws on all state roads. The department currently patrols 14,150 miles of state roads and interstates. The program also provides pool cars for other departmental staff to carry out their duties.

Mandated and Optional Services and Best Means of Providing Them

Motor Vehicle Operations directly relates to services to state taxpayers including, but not limited to, traffic crash investigation, traffic enforcement, safety education, criminal interdiction, and vehicle theft investigation. Without an adequate and functioning fleet, the department would be unable to affect enforcement of required statutes, potentially resulting in increases in fatal and serious injury crashes on the state's highways and a lessening of homeland security measures.

Pool cars available to non-commissioned staff enable the department to carry out vital services such as bus inspections and school bus driver training; attorneys going to drug seizure and DUI hearings for confiscated vehicles; repair of communication towers and radio repeater sites; computer services for equipment located all across the state; monitoring, training, and testing conducted by third parties. Pool cars are also available for employees to participate in training, pick up necessary supplies, and carry out other related duties.

Once new pursuit vehicles are obtained from General Services, the Tennessee Highway Patrol (THP) utilizes inmate labor for the installation of additional enforcement equipment such as radio and communications equipment, speed detection devices, video cameras, spotlights, antennas, and interior protective shielding. Using current resources, this equipment can take up to four days

to install, depending on the type of materials required. The department is currently exploring the possibility of leasing pursuit vehicles which will arrive with some of this equipment factory-installed. If this takes place, it should help reduce the turnaround time of installation and reduce the number of pursuit vehicles operating with mileage in excess of 85,000 miles.

Over the past three years, the percentage of pursuit vehicles operating with over 85,000 miles declined significantly. In fiscal year 2002-2003, 37% of the pursuit vehicles had over 85,000 miles. As of fiscal year 2004-2005, the percentage of pursuit vehicles with mileage over 85,000 was 18%. When replacement of any vehicle is delayed, maintenance costs increase while resale values decline. In the case of pursuit vehicles with high mileage, there is the added problem of potential catastrophic crashes at pursuit speeds. Thus, a better and more cost-effective means of delivering this service would be to replace all pursuit vehicles as soon as possible after their depreciated costs are recovered. This would enable the department to keep all vehicles at or close to the 85,000 miles at turn-in time.

Performance Standards

1. Replace pursuit vehicles at 85,000 miles.

Performance Measures

1. Percent of pursuit vehicles operating with mileage in excess of 85,000 miles.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
20%	30%	25%

Means of Addressing Any Change in Services Since Previous Plan

There have been no additional services added to the Motor Vehicle Operations Program since the previous plan. The process time for installing enforcement-related equipment in the pursuit vehicles has increased. Over the past year, with the addition of Mobile Data Systems for all pursuit vehicles, consisting of docking stations, global positioning systems, modems, external hard drives, and laptop computers, the time required for completing the installation process has increased by six hours.

The responsibilities of the Motor Vehicle Operations program have increased over the years. Despite the ongoing maintenance of a much larger fleet and more numerous and complex equipment requiring installation, the program is still operating with the same number of personnel it had in 1975. Even through the utilization of TRICOR to help supplement manpower shortages, maintaining minimum staffing levels for the installation of equipment continues to be a challenge.

349.12 Major Maintenance

Major Maintenance provides funds for buildings, sites and departmentally specific items that are not covered under the Facilities Revolving Fund. This includes 40 communication sites (both radio towers and remote radio repeater sites) maintained and managed by TDOS as well as such

locations as the federally funded roadside commercial motor vehicle scale houses. In addition, this program is responsible for maintaining communications equipment at hundreds of other locations throughout the state.

Mandated and Optional Services and Best Means of Providing Them

Vital services under this allotment code include maintenance and major equipment replacement at departmental radio repeater sites statewide, which are not maintained by the Facilities Revolving Fund. Some are shared by other state agencies, just as the Department of Safety shares various towers owned by others. This joint operation is coordinated through quarterly meetings of the Tennessee Wireless Communications Council.

Funds allocated to Major Maintenance provide the fiscal means for the department to maintain its communication sites. In the event of a catastrophic event such as a tornado or terrorist incident, this fund enables immediate repair/replacement of emergency communications. While risk management covers the department's facilities, the waiting period to obtain replacement funding can be weeks or months.

The other major category of building maintenance is the commercial motor vehicle roadside scale houses, which is funded through the Facilities Revolving Fund. These buildings were built and are maintained largely by the federal government's highway safety program and the Tennessee Department of Transportation. The scale houses provide a base of operations for the department's enforcement program services related to commercial vehicles, and are vital to its operations.

The program also funds departmental specific items in buildings maintained by the Facilities Revolving Fund such as additional security systems and locks, specialty mainframe computer HVAC units, and special grounding devices.

Performance Standards

1. Maintain communication sites so that reliable radio coverage is provided for TDOS law enforcement personnel.

Performance Measures

1. a. Number of communication sites maintained and managed by TDOS.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
40	40	41

- b. Ratio of communication sites to maintenance inspections.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
1:1.2	1:4	1:4

Means of Addressing Any Change in Services Since Previous Plan

There have been no services added since the previous plan.

Driver License Issuance

349.02 Driver License Issuance

Driver License Issuance issues driver licenses, driving certificates, photo identification licenses, and handgun carry permits. In addition, the program partners with county clerks to offer selected services through their offices.

Mandated and Optional Services and Best Means of Providing Them

The primary mandate of Driver License Issuance is to serve Tennessee residents requesting driver licenses, driving certificates, or identification documents. These services include mandated activities encompassing vision, knowledge, and skills testing for both private passenger and commercial motor vehicle operators (TCA 55-50-322; 49 CFR, Part 383), as well as mandates regarding Certificates for Driving (TCA 55-50-322), voter registration (TCA 2-2-201), organ donor awareness (TCA 55-50-352), selective service registration (TCA 55-50-205), reinstatement of driving privileges (TCA 55-50-502), and the issuance of the actual photo and non-photo documents (TCA 55-50-335). The program is also mandated to serve residents requesting handgun carry permits (TCA 39-17-1351), a service that includes qualifying the applicants as well as issuing a photo document similar to the driver license document. The newly designed digitized documents have received praise from citizens, law enforcement and retailers for their enhanced readability and security features. In cooperation with the Department of Human Services, the program now provides certification for child care drivers.

The program's core services are provided to Tennessee residents through the division's operation of 46 statewide locations in 39 counties. Most of the stations offer a full range of services, including not only the issuance of driver licenses, but also handgun carry permits, certified driving records and information regarding requirements for reinstating a cancelled, suspended or revoked driver license. Nine stations have examiners trained to reinstate a driver license as well. The federally mandated knowledge tests for commercial driver licenses (CDL) are offered at all locations; the more extensive CDL skills tests, which require expensive test pads and specially trained CDL examiners, are offered at eight locations.

For citizens simply needing to renew or replace their license, Driver License Issuance has three offices designated as express offices, and partnerships with various county clerks. Currently 33 clerks have contracts to provide selected driver license services. Many of these clerks are located in counties where TDOS does not currently have an office. In addition to partnering with county clerks, Driver License Issuance partners with third party testers and accepts certified test results from CDL third party testers for the CDL skills test, from approved driver education programs for the Class D (regular operator) knowledge and skills tests, and from the Motorcycle Rider Education Program courses for the motorcycle knowledge and skills tests (TCA 55-50-203, TCA 55-51-107).

In addition to having offices across the state and arrangements with third parties, Driver License Issuance offers citizens a way to conduct certain transactions themselves, without having to visit an office. Internet services now available to driver license customers include renewing licenses/ID's, changing the driver license address, obtaining a duplicate license/ID, obtaining information regarding reinstating a license, paying reinstatement fees, taking online knowledge practice tests and making road skills test appointments online. In addition, a mail-in option is offered for renewing licenses and handgun carry permits, and changing the driver license address. Address changes can also be made by notifying the department by phone.

Though not mandated, Driver License Issuance mails a courtesy renewal notice to drivers approximately two months before their licenses or handgun carry permits are due to expire.

To carry out the handgun carry permit service, Driver License Issuance accepts applications and fees at any of its offices, and provides the customer with a toll free number to set up an appointment with a contract vendor for fingerprinting. The vendor then electronically submits the prints to Tennessee Bureau of Investigation/Federal Bureau of Investigation for the requisite background checks. As mentioned above, the permits may now be renewed by mail, and do not require a visit to a driver license office. The final review and approval of the handgun carry permit is processed in central office within the 90-day turn around period mandated by law. In addition, Driver License Issuance is also responsible for the oversight of annual inspections for Tennessee's 166 certified firing ranges.

Driver License Issuance now offers self-service kiosks in approximately half of the driver license stations. Kiosks will be installed at the remaining stations throughout the state beginning July 1, 2006. The kiosks will offer the same services that are currently available through the Internet and allow customers to use credit cards to pay for those services, an option not previously available at a station. For tracking and traffic monitoring purposes, a new queuing system was installed at all driver license stations. This will improve the department's ability to collect reliable wait-time data and assist with addressing concerns about customer service.

The program is also in the process of implementing a new appointment system. Under the new approach, applicants are able to schedule appointments in advance for road tests. This measure is designed to reduce the lengthy wait-times for road tests and improve the level of customer service provided by driver license examiners. Phase I of the appointment system, which allows applicants to schedule a road skills test appointment via the internet was recently implemented. Phase II will permit applicants to schedule appointments using interactive voice response with the telephone.

Offering a blend of avenues for driver license and handgun carry permit customers to access its services, including partnerships with county clerks, third party testers as well as Internet and mail-in options, the Driver License Issuance program believes that given current resources, its means of providing mandated services is both effective and cost-efficient. At the same time, the program continues to explore methods and avenues to further enhance its level of service.

Performance Standards

1. Provide service to customers in a professional, efficient, and timely manner.
2. Increase the percentage of driver license transactions conducted without the customer having to come to a driver license office.

3. Issue handgun carry permits well before the statutory requirement of 90 days (including originals as well as duplicates and renewals).

Performance Measures

1. a. Percent of non-test applicants issued license within 15 minutes after examiner pulls record.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
87%	88%	90%

- b. Percent of non-test applicants called for service within 30 minutes of being issued a ticket from the queuing system.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
57%	50%	50%

2. a. Percent of driver license issuance transactions conducted via Internet, mail.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
36%	29%	36%

- b. Percent of non-test driver license field transactions conducted at county clerk offices.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
25%	13%	26%

3. Average number of days to issue handgun carry permits.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
56	45	45

Means of Addressing Any Change in Services Since Previous Plan

In June 2005, Governor Phil Bredesen asked Federal Express Corporation to review the operational procedures of the Driver License Issuance Division and make recommendations on how to improve the workflow at driver license stations.

After a three month review of the program, FedEx recommended a series of changes which include: extending the hours of operation at driver license stations to reduce customer wait time; opening additional driver license stations in locations with steady population growth; allocating additional positions to existing driver license stations which are inadequately staffed to handle the increased volume of traffic; improving efforts to disseminate information to citizens regarding driver license services and requirements; replacing outdated equipment with newer, more efficient technologies; and, developing and implementing standardized operating procedures for all driver license stations and services.

As a result of the FedEx study, the department received additional funding to open seven new driver license stations and add 39 new positions, to be allocated to both new and existing stations.

In addition, 27 temporary positions will be converted to full-time. Other recommendations contained in the FedEx study will be implemented in phases throughout the upcoming year.

In addition to changes resulting from the FedEx study, the procedures for issuing a Certificate for Driving (CFD) were revised in February 2006. An Executive Order was issued requiring those applying for a CFD to provide proof of legal presence in the United States to qualify. Individuals with work visas and student visas that meet the standard for legal presence in the United States will still be eligible to receive a Certificate for Driving with proper documentation. The department is also working with the General Assembly on a measure that would allow persons with legal presence to obtain a regular driver license for the length of their stay in the United States.

Enforcement

349.03 Highway Patrol

The Highway Patrol Program was established to protect the traveling public and is responsible for the enforcement of all federal and state laws relating to traffic in general and relating to the safe operation of commercial vehicles on Tennessee roads and highways. The program has grown to include a number of other significant services, devoted to such functions as school buses, auto-theft, and general protective, enforcement services.

Mandated and Optional Services and Best Means of Providing Them

The Highway Patrol Program represents more than half of the Department of Safety's workforce with over 900 commissioned personnel and encompasses a number of mandated and optional services. The THP operates in all 95 counties through patrol stations or posts, organized into eight districts. Each district is lead by a captain, and each has a communications dispatch office that serves the patrol district. Heading the command structure is the Colonel and his staff, located in Nashville. Administrative Captains and/or Lieutenants oversee the services focusing on Commercial Vehicles, Pupil Transportation, Executive Security, Capitol Security, Training, Communications, and Research, Planning, and Development. Further primary services within the Highway Patrol Program include the Criminal Investigations Division (CID), responsible for auto theft, vehicular homicide, and use-of-force investigations.

The Tennessee Highway Patrol's broad mandate is to ensure the safety and welfare of the traveling public (TCA 4-3-2001 *et seq.*). Specifically, THP is required to patrol highways to enforce all motor vehicle and driver license laws, and to assist motorists. The unified patrol is also responsible for enforcing commercial vehicle laws regarding size, weight and safety requirements for commercial motor vehicles (TCA Title 65, Chapter 15). Notable highway safety mandates include enforcing laws related to driving while intoxicated or under the influence of drugs (commonly referred to as DUI laws). THP also investigates crashes involving property damage, personal injury or fatal crashes, including those involving drugs or alcohol, with some troopers specially trained to reconstruct traffic crashes. THP serves as the repository for all records regarding crashes, and provides a uniform crash report along with training and support for its use. THP also seizes property from those who are found to be driving on revoked licenses or transporting drugs. In addition, THP supports other law enforcement and criminal justice agencies

by providing specialized training and manpower when needed, assisting with Homeland Security issues, as well as such practical matters as assistance with special events.

All state troopers assigned to the road or weight inspection facility have been certified to conduct Level III commercial vehicle inspections and are required to conduct a minimum of 32 inspections per year to maintain their certification. Duties include inspecting commercial vehicles and driver logs, patrolling the highways with a focus on commercial vehicle traffic violations, and weighing trucks both at fixed roadside scale houses and on highways using portable scales. Taking a comprehensive approach to its mandate to improve commercial motor vehicle safety, THP continues to focus on motorcoaches and on commercial vehicles transporting hazardous materials. In addition, the federally funded New Entrant program, required by the federal government, is responsible for conducting safety audits on any new company registering commercial vehicles within 18 months of beginning their operations in order to assist these companies in running a safe and legal operation.

Within THP are two special services, the Critical Incident Response Team and Special Operations. The Critical Incident Response Team was formed primarily to assist other members of the THP in the investigations and/or reconstruction of motor vehicle traffic crashes by having specially trained and equipped teams in four areas of the state. This team has also assisted many local and federal law enforcement agencies as well as other state agencies, and has recently assumed the duties of investigating all criminal homicides investigated by THP.

The Special Operations unit includes a tactical squad, an aviation section, and a K-9 unit. The tactical squad is specially equipped and trained to function as a tactical police unit providing the department with a flexible, effective response to unconventional, high risk situations such as bomb threat assessment/containment, drug raids, high risk warrant executions, crowd control, demonstrations, large scale searches, disaster response, dignitary protection, civil disorders, barricaded suspects, escaped prisoners, and hostage situations. The aviation section is responsible for all air support and related responsibilities for the Highway Patrol, as well as assisting cities and counties. The K-9 unit has dogs assigned to various commissioned offices, which are trained to either track or to detect drugs, cadavers, or explosives.

Pupil Transportation services are divided into two primary areas: training and inspections (Executive Order No. 45; TCA 49-6-21). Each year, this section provides the mandatory four-hour school bus driver training sessions for public school systems. Drivers who fail to attend the training lose their school bus driver license endorsements. Throughout the year, this service also inspects all public school buses through routine, extended, spot check, and follow-up safety inspections, with a growing emphasis on spot checks. Pupil Transportation is also responsible for performing inspections on childcare vans when requested by the Department of Human Services. The Pupil Transportation service has staff throughout the state, most of whom are cross-trained and able to carry out both inspections and training.

Executive Security provides security for the Governor, Lt. Governor, Speaker of the House, Attorney General, and other associated parties. The Capitol Security section focuses on the safety of state property and employees, providing special security for state office buildings in Davidson County, as well as protection of governmental officials and visiting dignitaries (TCA 4-3-2006, 4-3-1106).

Not mandated, but critical to the operation of the entire department, the Department of Safety's Training Center primarily conducts basic and specialized training for the commissioned members of the department. The center also offers specialized training to other law enforcement agencies,

and coordinates the training of non-commissioned personnel. The Ordnance section within this service conducts firearms training and re-qualifications of commissioned members, and inspects and accounts for all weapons.

Mandated as the lead agency in Tennessee for Drug Abuse Resistance Education (D.A.R.E) and Gang Resistance Education and Training (G.R.E.A.T), the department also implements the statewide D.A.R.E. program taught by trained law enforcement officers and helps educators reduce gang and individual violence through developing advisory guidelines (TCA 49-1-401 *et seq.*; 49-1-214).

Like training, the Research, Planning, and Development (RPD) Division uses its expertise to support department-wide initiatives or mandates. This service is responsible for preparing written policies and procedures (known departmentally as General Orders), some of which are required as a result of court decisions and changes in state or federal law. RPD conducts general planning and research, coordinates the work involved in maintaining law enforcement certification standards, and supports grant applications and reports. The division reviews all proposed legislation affecting the Department of Safety's activities, prepares bill analyses, and composes departmental fiscal notes to determine the impact of a proposed law on department resources. In addition, RPD performs statistical analyses of crashes required by the federal government, and is responsible for the development of the department's mandated performance-based budget, strategic plan, and annual report.

As a vital service, the Communications section maintains radio contact between all troopers and dispatch centers in the state, thereby providing emergency service to motorists and enabling troopers to request support when needed. Communications is responsible for the design, procurement, installation, and maintenance of all communication sites (radio towers and repeater sites), portable, mobile, and fixed station communications equipment, and all other electronic equipment utilized by the Department of Safety.

The Criminal Investigations Division (CID) is charged with investigating, preventing, and prosecuting violations of Tennessee's auto theft laws (TCA Title 55, Chapter 5 and TCA 39-14-108). Through covert and overt operations, and through assistance to other law enforcement agencies, CID investigates suspected cases of vehicle theft, stolen vehicle parts trafficking, odometer fraud, identity theft, and driver license fraud. CID offers specialized training to other state and local law enforcement agencies in identifying and investigating auto theft laws. Though not mandated by law, assignments carried out by this division that take advantage of their expertise include background investigations of applicants for departmental positions, and investigations related to Internal Affairs, TDOS lethal force incidents, and vehicular homicides. CID Special Agents are assigned to one of four geographic districts and are located throughout the state.

The Highway Patrol Program itself is clearly a government function, not suitable for outsourcing or privatization. The reorganization of the Tennessee Highway Patrol, resulting from the findings of the Kroll Report, is expected to take place during fiscal year 2006-2007. As part of this reorganization, the Accreditation and Staff Inspection unit will join the Internal Audit and Internal Affairs units as part of the new Professional Standards Division. The implementation of these recommendations will provide for a fair and transparent promotional process and improve the overall level of service offered by the agency.

Performance Standards

1. Reduce highway fatalities in Tennessee.
2. Reduce fatalities involving large trucks.
3. Ensure statutory compliance for certification of school buses.

Performance Measures

1. a. Number of highway fatalities in Tennessee.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
1,188	1,200	1,200

*Based on preliminary data, with data projected to include expected delayed fatalities.

- b. Percent of time that THP is able to respond to crashes within 15 minutes.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
49%	50%	50%

- c. Number of DUI arrests.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
3,995	4,350	4,100

2. a. Fatalities involving large trucks.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
157	130	130

*Based on preliminary data with data projected to include expected delayed fatalities.

- b. Average number of days to upload commercial motor vehicle inspection data to federal database.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
23	20	20

- c. Average number of days to upload commercial motor vehicle crash data to Federal database.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
43	90	90

3. Ratio of school buses to school bus inspections.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
1:1.2	1:1.5	1:1.5

Means of Addressing Any Change in Services Since Previous Plan

No new mandated services have been added since the previous plan.

349.06 Auto Theft Investigations

Auto Theft Investigations provides operational expenses to support the department's work, led by the Criminal Investigations Division (CID), regarding vehicular thefts. This program is purely a self-supporting funding mechanism, with no positions.

Mandated and Optional Services and Best Means of Providing Them

To manage property forfeiture as mandated (TCA 55-5-108), the department establishes a tracking file for each vehicle or vehicular component part seized. The Legal division then holds hearings, where it is determined whether the seized vehicle or seized vehicular component parts should be returned to the rightful owner (minus expenses) or sold. General Services Surplus Property Division is required to handle these sales. If the property is sold, the proceeds are then available to cover such operational expenses as tow bills, photo developing, the purchase of equipment needed to adequately perform the required functions, and covert operational expenses. In some instances the department is able to obtain reimbursement from an insurance company, with the proceeds again used for operational expenses.

The value of seized property can decline while it is awaiting the legal determination and its sale. The legal process regarding the property's disposition involves various required steps, with little room for shortening the time span. The sale of the property, however, does seem to hold some room for improvement. Under the current system, where General Services uses a web-based auction service, the department is generally able to place a relatively small percentage of vehicles or vehicle components up for sale.

Performance Standards

1. Offset operational expenses for auto theft investigations through proceeds obtained as the result of selling seized property.

Performance Measures

1. Percent of operational expenses for auto theft investigations funded through the sale of seized property.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
24%	13.5%	10.5%

Means of Addressing Any Change in Services Since Previous Plan

As of July 1, 2006, ten CID Special Agents, along with the regulatory function of inspecting all rebuilt and reconstructed vehicles, will be reassigned to the Department of Revenue. In addition, 15 CID Special Agents will be reassigned to the Tennessee Bureau of Investigations (TBI). As a result of this restructuring, the Criminal Investigations Division (CID) will lose approximately 60% of its investigative workforce. Due to the reorganization of CID and the reduction in the number of agents, it is difficult to anticipate the effect on the amount of seized property which will be available to sell, and thus, the percentage of operational expenses funded.

Education

349.04 Motorcycle Rider Education

The Motorcycle Rider Education Program (MREP) is responsible for establishing standards and administering the motorcycle rider education program for Tennessee residents who currently ride or those interested in learning to ride motorcycles safely. This is accomplished primarily through overseeing two types of training programs, one for novice riders and one for experienced riders.

Mandated and Optional Services and Best Means of Providing Them

The MREP certifies and monitors Motorcycle Safety Foundation courses offered in Tennessee (TCA 55-51-102). The Basic Rider and Experienced Rider courses are taught in safe, off street environments where students learn and practice riding fundamentals as well motorcycle safety techniques. Motorcycle rider training is currently offered at 29 training sites statewide. Benefits of completing one of the Motorcycle Safety Foundation courses include insurance premium discounts and streamlined processing for the motorcycle license endorsement (TCA 55-51-106). With a certificate, those who apply for this endorsement on their driver license have both their knowledge and skills test waived in Tennessee.

The department facilitates the delivery of the MREP using third-party instructors. The MREP coordinator serves as chief instructor and trains, certifies, and monitors instructors (TCA 55-51-102 (b)). Annually, MREP provides a statewide in-service workshop for certified instructors as part of their annual recertification. Tools for instructional enhancement are presented during the training as well as legislative and national standard updates. The department believes this program is being delivered in the most cost effective manner.

The law also explicitly permits the MREP to include general educational efforts promoting motorcycle safety awareness, motorist awareness, and combating impaired driver issues (TCA 55-51-102 (a)), which the MREP accomplishes through partnerships with various rider groups, at motorcycle industry events, motorcycle dealer open houses, and motorcycle enthusiast rallies, as well as through the department's website. MREP aids local law enforcement agencies by providing them with training and information on enforcement issues such as proper personal protective equipment, proper license endorsements and unique alcohol and drug related behavior of motorcyclists. The staff also provides consultative services to the agency on issues such as motorcyclist licensing and driver improvement.

In addition to monitoring the Motorcycle Rider Education courses, MREP also conducts state-sponsored Rider Coach Classes in an effort to standardize the training and certification of its instructors throughout the state. The classes offer comprehensive training techniques and course materials for the instructors to utilize. The new Rider Coach Class has improved the quality, consistency, and content of the material being taught by MSF-certified instructors.

The program continues to experience an increase in the demand for more classes and sites in Tennessee's major metropolitan areas. Currently, a four to six week wait time exists for classes in these areas. In an effort to meet the demand for service, customers are being referred to other sites within a 50-mile radius of the requested class site. In addition, six new sites have been added since the last fiscal year in an effort to meet increased demand, four of which are military sites located in Memphis, Nashville, and Knoxville. The search to include additional sites will continue over the next few years.

Performance Standards

1. Increase enrollment in the Basic Rider and Experienced Rider courses.
2. Ensure the quality of program instruction through annual site visits.

Performance Measures

1. Number of students enrolled in a certified motorcycle rider education course.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
7,604	6,500	7,000

2. Ratio of sites to site visits.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
1:1.7	1:2.0	1:2.0

Means of Addressing Any Change in Services Since Previous Plan

Since last year's plan, MREP began inspecting military sponsored Motorcycle Rider Education programs. Each program is certified by MREP and is required to use the same comprehensive training techniques and course material as the non-military programs. Since these are military sponsored programs, they are not available to the general public. Training at these sites is only offered to active duty military personnel.

349.08 Driver Education

Driver Education develops, promotes, and coordinates programs that increase public awareness of highway safety.

Mandated and Optional Services and Best Means of Providing Them

The two mandated services for Driver Education are: promoting safety on Tennessee highways (TCA 67-4-606) and regulating commercial driving schools (TCA 55-19-101). Primary means of fulfilling these mandates are through presentations, public service announcements, demonstrations, and inspecting and licensing commercial driving schools statewide.

Driver Education is a critical component for improving highway safety. Working closely with the department's Public Information Officer, Driver Education uses news media, pamphlets, film video tapes and other instructional materials to educate the motoring public in the safe operation of a vehicle. Utilizing local and statewide crash data, this division also develops locally appropriate safety messages and safety training events. Proper use of Child Restraint Devices (CRD) demonstrations, rollover simulations, computer program simulations, and fatal vision goggles demonstrations are held at schools, malls, fairs, and other special events throughout the state to promote driver safety issues. Partnering with the Governor's Highway Safety Office, the division has been able to launch intensive DUI campaigns. Other partnerships, such as that with Vanderbilt University and East Tennessee State University for CRD demonstrations, Meharry Medical College for seat belt usage, and local parks and recreation departments for distribution of information materials are formed to get driver education messages out as widely as possible. As an outgrowth of their skills and contacts, the safety education officers assume the role of local public information officers for the department.

As a new federal requirement, the THP ensures that new commercial motor carriers (called new entrants) understand and are in compliance with federal motor carrier standards. Though not mandated, the federally recognized Alternative Commercial Enforcement Strategies (ACES) program was formed to educate safety directors, maintenance professionals, and drivers in the necessary compliance with laws and regulations relating to the safe operation of commercial vehicles. ACES officers provide complete educational contacts to motor carriers at no cost to the carrier and assist with problem compliance areas such as drug testing, medical qualifications of drivers, hours of service, and vehicle maintenance. They provide demonstrations of vehicle inspection procedures, perform safety audits of trucking companies, and answer questions concerning hazardous materials, weight requirements, over-dimensional movements, registration of vehicles, and International Fuel Tax laws. ACES officers also conduct programs for civic groups and school systems concerning the "NO-ZONE" program and other safety issues concerning commercial vehicles.

Enforcement, regulation, and education are the primary methods the department uses to fulfill its mission of ensuring the safety and welfare of the public. The activities and services that are provided by the Driver Education program are essential to this effort. Using the in-house expertise of troopers who have assisted motorists and worked crash scenes profoundly impacts the safety education message delivered to students, parents, and problem drivers across the state. The department believes the current delivery of Driver Education services is the most cost effective and has the most impact on improving highway safety.

Annually, the Driver Education program inspects private driving schools statewide that are licensed by the department. Related duties include processing applications and fielding calls from individuals who are interested in starting a private industry driving school. This division also serves as a liaison to local traffic courts and assists the department's hearing officers by maintaining a list of court approved driver safety programs and instructors. The department feels that it is carrying out its mandate to regulate commercial driving schools in the most appropriate

and cost effective manner. Outsourcing any function of this mandate would be impractical due to the regulatory nature of the service and the potential conflict that would result in having a private entity monitor private driving schools.

Performance Standards

1. Increase public awareness of safe driving principles.
2. Provide safety education training and assistance to law enforcement officers.

Performance Measures

1. Number of safety education presentations held to promote safe highways.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
5,337	3,000	5,700

2. Number of law enforcement officers receiving safety education training and assistance.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
1,447	1,000	1,000

Means of Addressing Any Change in Services Since Previous Plan

There have been no changes in services since the previous plan.

349.13 Technical Services

The Technical Services program encompasses four major services revolving around vehicle and driver data, not only managing the data but in some cases taking action based on the data. The program thus has two major aspects: back room functions involved with records and information systems, and public functions, working directly with problem drivers.

Mandated and Optional Services and Best Means of Providing Them

The Technical Services program is divided into four service areas: Information Systems, Financial Responsibility, Driver Improvement, and Crash Analysis.

Responsibilities of Information Systems include department wide support of computer-related resources, including the installation and maintenance of computer hardware, design and development of new computer systems, management of departmental databases for driver and vehicle records and transactions, and for researching, acquiring, and implementing new technologies. Not directly mandated, the services of this division are vital for the proper administration of the department in its duties.

The Financial Responsibility service is required to cancel, revoke or suspend driver licenses for a variety of traffic and other offenses, including crashes (TCA 55-12-105), moving traffic violations (TCA 55-50-502), DUI violations (TCA 55-50-501), habitual offenses (TCA Title 55, Chapter 10), truancy (TCA 55-50-502), drug free youth act/age 18-21 alcohol violations (TCA 55-10-702), child support violations (TCA 36-5-701, 36-5-706), juvenile possession of weapons (TCA 55-10-701), driving away from fuel pumps (TCA 39-14-151), uninsured motorist violations (TCA 55-12-115), and failure to appear in court (TCA 55-50-502, 55-50-704).

Once the driver is eligible to regain driving privileges, Financial Responsibility also verifies eligibility, collects the appropriate fees and updates the record to show the driver's new status. Along with reinstating licenses, this service issues restricted licenses to those found eligible.

Financial Responsibility is required to maintain certified driving records (TCA 55-50-204), the sources for which are largely from external law enforcement agencies and courts. Those records, which include traffic convictions and citations that are not yet transmitted electronically, must be coded, filmed, and keyed. The department's own citations and convictions are processed by this service as well.

The driving records not only form the history of a driver and have implications for the driver's eligibility to drive, but they must also be available to the driver or other legitimate parties. Providing a Motor Vehicle Record (MVR), copies of crash reports, and other miscellaneous documents related to driving records, are mandated activities of Financial Responsibility, as is appearing in court to testify as to the accuracy of such records. The Financial Responsibility mandated activities also support the homeland security efforts of federal, state, and local governments. Additionally, recently enacted legislation requires Financial Responsibility to provide records and assist law enforcement agencies with cases or matters involving identity theft.

The administration of the Financial Responsibility service is based in Nashville, where teams of safety examiners handle public inquiries and reinstatements by means of correspondence, telephone, fax, email, and Internet as well as in-person. Financial Responsibility operates with one full time office in Memphis to carry out these duties. In addition, there are eight driver license stations throughout the state that have selected examiners trained to manage the reinstatement process. Financial Responsibility also maintains a 24-hour help desk to provide information regarding organ donors (TCA 4-3-2011), and to provide information/photos for law enforcement investigations.

The means of delivering Financial Responsibility services has been expanded through an Automated Voice Response System (AVRS) and through the Internet. The AVRS not only allows customers to get traditional menu information, it also is linked to the driver records so that people can check their current status, and even hear or have faxed to them the information they need to reinstate their license. These services can also be accessed by the Internet, where drivers can make their reinstatement payments and businesses can subscribe to receive Motor Vehicle Records. Forms for frequently requested documents or information from Financial Responsibility are also available on the website. Such forms available for download include requests related to accident compliance and authorization of record release.

The Financial Responsibility unit also frequently handles requests from federal, state, and local law enforcement agencies for information regarding identity theft and Homeland Security.

Driver Improvement is required to evaluate the driving records of Tennessee drivers, based on crashes and/or convictions of traffic violations, in order to identify and keep track of high-risk drivers, as well as to establish procedures for their rehabilitation (TCA 55-50-505). Individuals who are found to be frequent traffic violators are sent a notice of proposed suspension and given an opportunity to attend a hearing. Hearing officers are located throughout the state in seven offices, and in addition to holding the hearings in person, offer phone hearings for out-of-state drivers. In most cases, when a driver attends a hearing, he or she is given the opportunity to attend a defensive driving class in order to either eliminate or reduce the suspension.

Driver Improvement is also required to handle medical referrals regarding the capability of drivers (physical, mental, and substance abuse concerns). After seeing that a proper evaluation of the driver has been undertaken either by a medical professional or by a licensing re-examination, the section may suspend the driver's license, add restrictions, or remove the proposed suspension.

Beginning spring 2006, Driver Improvement is required to handle requests from individuals seeking an exemption to the window tinting law (TCA 55-9-107). Drivers with a medical condition that are adversely affected by ultraviolet light may submit a statement to the department from their physician certifying they have a medical condition which requires their tint on their vehicle to exceed the standard specified by law. The department will submit their request to the medical review board for evaluation. If the review board finds the exemption warranted, the department will grant an exemption to the motorist. A certificate or decal indicating the degree of exemption will be issued to the applicant and it must be displayed in the motor vehicle.

Driver Improvement is also responsible for administering the Ignition Interlock program (TCA 55-10-412). The department certifies businesses and individuals to install, remove, maintain, repair, and audit ignition interlock systems mandated by law and courts for certain individuals who are convicted of DUI. No additional personnel or other resources were budgeted to operate this program, and the unit has absorbed its costs.

The Crash Analysis service is required to receive, tabulate, analyze, and maintain official copies of all reportable traffic crashes (i.e., those involving bodily injury, death, or property damage over \$400), as well as to supply appropriate forms for law enforcement to use in reporting crashes to the department (TCA 55-10-107 through 55-10-111, TCA 55-10-115). Currently, crash records are compiled and maintained by scanning the crash report to capture bubble data and an image of the report. Handwritten data captured in the image scan is then keyed. This report was developed by the department and is in use by all local law enforcement agencies in Tennessee, including the Tennessee Highway Patrol. The new report captures additional information not available previously using handwritten reports. Further improvements are underway to convert the Uniform Traffic Crash Report to an electronic document and to enable THP and local law enforcement agencies to transmit reports electronically. A number of agencies have already begun utilizing the electronic crash report. As more law enforcement agencies, including THP, implement mobile data systems into their daily operations, the number of crash reports received electronically should steadily increase.

Due to the sensitive nature of the information processed (e.g., court dispositions, medical referrals, fatality records, etc.) and mandated activities of the above mentioned units such as revoking licenses, evaluating driver records, and analyzing crashes involving fatalities; the department believes outsourcing these services to private entities is generally not practical. The department believes it is delivering these services and fulfilling the mandated activities in the most appropriate manner. Reliance on the department's data and intelligence by other federal, state, and local government agencies necessitates the need for in-house expertise for the delivery

of the Information Systems service. Due to the high salaries associated with contract staff, the utilization of in house staff is generally the most cost effective manner of delivering this service.

Performance Standards

1. Send mandatory license revocation letters to drivers convicted of DUI, manslaughter and other equally serious violations within 12 days after department receives the court conviction record.
2. Hold hearings for drivers whose licenses have accumulated suspension points within 60 days of mailing the proposed suspension letter.
3. Improve the timeliness, completeness and accuracy of vital traffic records by increasing the percentage received electronically rather than by paper.

Performance Measures

1. Average elapsed time in calendar days between the department's receiving mandatory convictions from the court and mailing the letter revoking the driver license.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
9	10	8

2. Percent of hearings held within 60 days of point-suspension letter.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
98%	82%	82%

3. a. Percent of Tennessee court records received electronically.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
66%	61%	70%

- b. Percent of crash reports received electronically.

Actual (FY 2005-2006)	Estimate (FY 2006-2007)	Target (FY 2007-2008)
17%	20%	25%

Means of Addressing Any Change in Services Since Previous Plan

In fiscal year 2005-2006, there were two changes to the department's administrative rules that will significantly increase the number of Driver Improvement hearings conducted each year. Hayden's Rule requires drivers under the age of 18 to attend a Driver Improvement hearing if they accumulate three or more points on their driving record within a 12-month period. Based on the outcome of the hearing, juveniles may be required to attend a defensive driving course (DDC) and could have their driving privileges suspended. Implementation of this new rule could increase the number of hearings held annually by up to 15,000.

The second rule change relates to the calculation of points posted to a driver's record prompting the department to send a letter of proposed suspension. Under the new rule, the previous 24 months of the driver's record will be examined each time a crash or violation is posted in order to determine whether the driver has accumulated 12 or more points within any 12-month period. Under the prior rule, only the previous 12 months were examined. This change is also expected to increase the number of Driver Improvement hearings.

In addition to the new administrative rules, Driver Improvement was assigned the task of certifying and inspecting Defensive Driving schools throughout the state. There are approximately 21 certified Defensive Driving schools that require annual inspections. The inspection covers two areas of the school: administrative and classroom. The administrative area is inspected to ensure proper documentation is on file, such as valid business licenses, proper DDC teaching certification for instructors on staff, proper liability insurance coverage, class rosters for each of the past three years, and proof of payment by attendees. The classroom and class-related materials are inspected to ensure the course curriculum is current and up to date, the classroom has adequate seating for a maximum of 50 students, and the classroom is in compliance with the Americans With Disabilities Act (ADA). Schools not meeting these requirements risk losing state certification.

Additional personnel may be necessary for efficient and effective operation of the Driver Improvement unit if the number of Defensive Driving schools and Driver Improvement hearings significantly increase as anticipated.